IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 24539 of 2007(U)

PETITIONER:

P.T.DEVASSY, S/O.THOMAS, AGED 68 YEARS,
RESIDING AT PAYYAPPILLY HOUSE, KEERANKULANGARA,
THRISSUR,.

BY ADV. SRI.P.DEEPAK

RESPONDENTS:
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1. **THE REGIONAL TRANSPORT AUTHORITY,**
   THRISSUR.

2. **THE SECRETARY, REGIONAL TRNASPORT**
   AUTHORITY, THRISSUR.

3. **USHA THOMAS,**
   BATHEL HOUSE,
   PO,PATTIKKAD,
   THRISSUR.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.24539 of 2007-U

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Dated this the 14th day of August, 2007.

JUDGMENT

The complaint of the petitioner, a third party to the proceedings before the State Transport Appellate Tribunal is that the order of the STAT has been passed on misrepresentation of facts and on a wrong premise on the basis of false averments. It is submitted that there is material on record to show that even according to the statutory authorities, such miscarriage of justice is done. In terms of Rule 21 of the State Transport Appellate Tribunal Rules, 1988, the power of review is regulated. The power to act suo motu can also be exercised when it is brought to the notice of the Tribunal that the situation in hand requires a suo motu exercise of power and any application by a third party to invoke such suo motu power

would also be a method of triggering the jurisdiction available with the Tribunal for suo motu exercise of power under Rule 21. Under such circumstances, I am not inclined to interfere with in exercise of writ jurisdiction. Hence, this writ petition is disposed of without prejudice to other reliefs that may be available to the petitioner in accordance with law.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-